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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

CUNNINGHAM, GREGORY F

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 06/25/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/056,362

Applicant(s)

HOLTSLAG ET AL.

Examiner

Greg Cunningham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications of application filed 5/18/2004.
2. The disposition of the claims is as follows: claims 1-16 are pending in the application. Claims 1, 11-13, 15 and 16 are independent claims.
3. When making claim amendments, the applicant is encouraged to consider the references in their entireties, including those portions that have not been cited by the examiner and their equivalents as they may most broadly and appropriately apply to any particular anticipated claim amendments.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-16 are rejected under 35 U.S.C. 102(a) as being disclosed by Fishman et al.,
PGPUB-DOCUMENT-NUMBER: 20020064764, hereafter Fishman.

A. Claim 1, "A system comprising: a display information-generating device for generating display information, a display apparatus having a display screen for displaying the display information [para. 0003, 0005, 0046 and 0064], detection means [para. 0028 – 0033] for detecting whether at least one of the following criteria is fulfilled in a part of the display information corresponding to an area on the display screen [para. 0008 – 0010 and 0064]:



(i) an application is one of a group of applications indicating that non-synthetic information is displayed, in which the application is not a picture viewer [para. 0045 – 0047 and 0051], or

(ii) an extension of a file is one of a group of extensions indicating that non-synthetic information is displayed [para. 0062], and

enhancement means for enhancing the part of the display information if at least one of the criteria (i) and (ii) is true [para. 0008, 0039, 0048, 0068 and 0071]” is disclosed [as detailed].

Wherein “multimedia analysis system 100 to facilitate collection and use of data” and [video signals to be received] corresponds to “detection means ... for detecting whether ... on the display screen”; and [split screen] and /or [composite image video data 200, 210, 220, and video data 180 and 190 – see para. 0068] correspond to “part of display information”.

B. Claim 2, “The system as claimed in claim 1, wherein the display information-generating device comprises a computer, the detection means being part of the computer and comprising a suitably programmed microprocessor for detecting whether an application is started on the computer, and for determining whether the application started is one of the group of applications, and/or whether the extension of the file associated with the application is one of the group of extensions, and/or whether moving information is displayed“ is disclosed, supra for claim 1, and furthermore in para. [0028] and [0040].

C. Claim 3, “The system as claimed in claim 2, wherein the part of the display information is an active window, and the detection means are suitably programmed to detect whether a window is opened to determine the application associated with the opened window and/or the file extension of the file being displayed in the window from information linked to the window“

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is disclosed, supra for claim 2, and furthermore in para. [0032], [0041], [0051], [0060] and [0068].

D. Claim 4, “The system as claimed in claim 1, wherein the detection means comprise: a memory for storing the part or a portion of the part of the display information as first data at a first instant, and means for comparing the first data with second data corresponding to the part or a portion of the part of the display information at a second, later, instant, to indicate whether a difference between the stored display information and the corresponding display information at the second instant exceeds a limit value” is disclosed, supra for claim 1, and furthermore in para. [0008], [0009], [0014], [0037], [0040] to [0042], and [0060]. Wherein test comparisons and/or test conditions correspond to limit value.

E. Claim 5, “The system as claimed in claim 1, wherein the detection means comprises: a memory for storing the part or a portion of the part of the display information as first data at a first instant, a comparator for comparing the first data with second data corresponding to the part or a portion of the part of the display information at a second, later, instant, to obtain difference values means for determining absolute values of the difference values, summing means for summing the absolute values of the difference values of corresponding data words of the first and the second data to obtain a sum, and a further comparator for comparing the sum with a limit value” is disclosed, supra for claim 1, and furthermore in para. [0008], [0009], [0014], [0037], [0040] to [0042], [0060] and [0071] to [0072]. Wherein peak corresponds to “means for determining absolute values, time exposure corresponds to summing means, and “creating graphs or other charts of the data sets” corresponds to “comparing the sum with a limit value”.

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F. Claim 6, “The system as claimed in claim 4, wherein the memory is the video memory of the video adapter of a computer“ is disclosed, supra for claim 4, and furthermore in [0071].

G. Claim 7, “The system as claimed in claim 4, wherein the detection means comprises a suitably programmed microprocessor“ is disclosed, supra for claim 4.

H. Claim 8, “The system as claimed in claim 1, wherein the information-generating device comprises means for supplying coordinates defining the area to the display apparatus, the display apparatus comprises the detection means which comprise: an integrator for determining an intensity value of a line or a sum of lines in the area, a sample-and-hold means for storing the determined intensity value at a first instant, and a comparator for comparing the stored intensity value with a further intensity value of a line or a sum of lines in the area at a later instant to supply the control signal, indicating whether a difference between the stored intensity value and the further intensity value exceeds a limit value“ is disclosed, supra for claim 1, and furthermore in para. [0013], [0041], [0045], [0046], [0049], [0058]. Wherein ”x, y, z position” corresponds to ”supplying coordinates”. Wherein sample-and-hold is inherently a part of any analog to digital (A/D) converter.

I. Claim 9, “The system as claimed in claim 1, wherein the detection means [para. 0028 – 0033] are adapted to supply the control signal to automatically activate [para. 0041 - 0043, 0057 and 0071] the enhancing by the enhancement means if the detection means detects in the part of the display information that at least one of the criteria (i) and (ii) is true [para. 0008, 0039, 0048, 0062, 0067 and 0068]“ is disclosed, supra for claim 1. Wherein “processed by computer system 130” corresponds to “automatically activate the enhancing” and wherein [composite video data 200, 210, 220, and video data 189 and 190] correspond to “enhancement means” and [video]

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corresponds to “criteria (i) true” and [multimedia analysis system 100 with formats AVI, JPEG, MPEG, JMPEG] corresponds to “criteria (ii) true”.

J. Claim 10, “The system as claimed in claim 9, wherein the system further comprises input means for receiving user input to supply user information indicating whether the part of the display information should be enhanced or not, and a control means receiving the control signal from the detection means and the user information to supply an adapted control signal to activate or deactivate the enhancing in correspondence with the user input, independent of the automatic detection by the detection means“ is disclosed, supra for claim 9, and furthermore in [para. 0040 and 0075]. Wherein “keyboard, mouse, stylus, and/or other suitable device” corresponds to “user input”.

K. Per independent claim 11,”A method of displaying display information on a display screen, the method comprising: detecting whether at least one of the following criteria is fulfilled in a part of the display information corresponding to an area on the display screen (i) an application is one of a group of applications indicating that non-synthetic information is displayed, in which the application is not a picture viewer, or (ii) an extension of a file is one of a group of extensions indicating that non-synthetic information is displayed, and enhancing the part of the display information if at least one of the criteria (i) and (ii) is true“, this is directed to a method for the system of independent claim 1, and therefore is rejected to independent claim 1.

L. Per independent claim 12,”A computer supplying display information for use in a display apparatus with a display screen, the computer comprising: detection means for detecting whether at least one of the following criteria is fulfilled in a part of the display information corresponding to an area on the display screen: (i) an application is one of a group of applications indicating

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that non-synthetic information is displayed, in which the application is not a picture viewer, or (ii) an extension of a file is one of a group of extensions indicating that non-synthetic information is displayed, and means for only providing coordinates for use in the display apparatus if at least one of the above criteria (i) and (ii) is true, the coordinates defining the area“, this is directed to a computer for the system of independent claim 1 and dependent claim 8, and therefore is rejected to independent claim 1 and dependent claim 8.

M. Per independent claims 15 and 16, these are directed to a system and method, respectively, for the system of independent claim 1 and for performing the method of independent claim 11, and therefore are similarly rejected to independent claims 1 and 11, whereby criteria (i) and (ii) is show to be true and “enhancing only the part of the display information” as revealed in para. 0064 - 0068, supra for claim 1, and moving information is displayed.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishman et al., PG PUB-DOCUMENT-NUMBER: 20020064764, hereafter Fishman, as applied to claims 1-12 above, in view of Heard et al., (US Patent 3,810,174), hereafter Heard, and further in view of Official Notice.

A. Claim 13,”A display apparatus for displaying display information on a display screen, the display apparatus comprising detection means for deciding whether only a part of the display information corresponding to an area on the display screen has to be enhanced based on a difference value [different outline – 0004; different golf professionals – 0005; different practice sessions – 0006; different times and differences in techniques – 0009], the detection means comprising: an integrator [superimposition and compositing – para. 0056] for determining an intensity value of a line or a sum of lines in the area, sample-and-hold means for storing the determined intensity value at a first instant, and a comparator for comparing the stored intensity value with a further intensity value of a line or a sum of lines in the area at a later instant to supply the control signal, indicating whether a difference between the stored intensity value and the further intensity value exceeds a limit value so that only said part of the display information is enhanced”, is disclosed by Fishman supra for claims 1 and 8 and [as detailed]. However in as much as Fishman discloses intensity, Heard discloses “and a comparator for comparing the stored intensity value with a further intensity value of a line or a sum of lines in the area at a later instant to supply the control signal, indicating whether a difference between the stored intensity value and the further intensity value exceeds a limit value so that only said part of the display information is enhanced” in [col. 3, lns. 1-28].

Although as much as both Fishman and Heard do or do not disclose sample-and-hold (S/H), Official notice is taken that the art is replete with S/H that are an integral part of analog-to-digital (A/D) converters and charge-coupled-device (CCD, use in digital video cameras)

Wherein (Heard), [varying intensity such that the direction in which the intensity is increasing will give an indication of the direction and rate of motion] corresponds to “further

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intensity value of a line or a sum of lines in the area at a later instant to supply the control signal, indicating whether a difference between the stored intensity value and the further intensity value exceeds a limit value so that only said part of the display information is enhanced”.

Wherein (Fishman), “multimedia analysis system 100 to facilitate collection and use of data” and [video signals to be received] corresponds to “detection means ... for detecting whether ... on the display screen”; and [split screen] and /or [composite image video data 200, 210, 220, and video data 180 and 190 – see para. 0068] correspond to “only part of display information”.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply multimedia analysis disclosed by Fishman, coupled with S/H disclosed by Official Notice, in combination with digital scan converter disclosed by Heard, and motivated to combine the teachings because it would compensate for changing modes of operation as revealed by Heard in col. 1, lines 32-35.

B. Per dependent claim 14,”A display apparatus as claimed in 13, wherein the display apparatus comprises means for receiving information defining the position of the area“, this is directed to an apparatus for the system of dependent claim 8, and therefore is rejected to independent claim 13 and dependent claim 8.

Response to Arguments

8. With regard to new claims 15 and 16, the clarification “that only the noted part is enhanced” is disclosed in [para. 0064 – 0068] and illustrated in Figs. 5(b) – 6. wherein the

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bottom portion of the individual appears stationary while the upper portion shows displacement via composite images 180 and 190.

Responses

9. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

When making claim amendments, the applicant is encouraged to consider the references in their entireties, including those portions that have not been cited by the examiner and their equivalents as they may most broadly and appropriately apply to any particular anticipated claim amendments.

Inquiries

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Cunningham whose telephone number is (703) 308-6109.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella, can be reached on (703) 308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

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or faxed to:

(703) 872-9306 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

D.F. Cunningham

gfc

June 21, 2004

Matthew C. Bella

**MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**